

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 91-040-C - ORDER NO. 92-849 ✓  
SEPTEMBER 28, 1992

IN RE: Proceeding to Consider Revision of the	)	ORDER GRANTING
Application Form and Guidelines for	)	IN PART AND
Customer Owned Coin or Coinless Pay	)	DENYING IN PART
Telephones.	)	PETITION FOR
	)	REHEARING AND/OR
	)	RECONSIDERATION

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of a Petition for Rehearing and/or Reconsideration filed on behalf of the South Carolina Public Communications Association (SCPCA) pursuant to S. C. Code Ann., §§58-9-1200 and 1-23-10 et seq. (Supp. 1991) and the Rules and Regulations of the Commission. Specifically, the SCPCA asked the Commission to reconsider and/or rehear certain portions of Order No. 92-511 issued in the instant Docket.

The SCPCA seeks reconsideration and/or rehearing by the Commission on three (3) issues. First, the SCPCA alleges that the Commission erred in ruling that the cost for Directory Assistance (D.A.) may be passed on to the COCOT provider. Secondly, the SCPCA alleges that the Commission erred in implementing "dial-around" access without simultaneously requiring the LEC to provide anti-fraud blocking and screening functions. Thirdly, the SCPCA

alleges that the Commission erred in reducing the current \$1.00 surcharge to 25¢ for coin-sent interLATA and intraLATA long distance calls. AT&T Communications of the Southern States, Inc. (AT&T) filed a response to the Petition and supported the SCPCA's Petition regarding the toll fraud issue.

The Commission has considered the allegations of error contained in the Petition of the SCPCA and has considered the supporting response of AT&T to the toll-fraud issue. After a thorough review of the record in this proceeding, the Commission's Order No. 92-511, the Petition, and the response of AT&T, the Commission makes the following determinations:

1. As to the issue that the Commission erred in ruling that the cost for D.A. may be passed on to the COCOT provider, the Commission hereby grants rehearing. The Commission's ruling on the D.A. issue was not, as pointed out in the Petition of the SCPCA, properly noticed to the public or to the COCOT providers in this State. This was an issue raised through the prefiled testimony of Pond Branch's witness and was not noticed in the Notice of Filing, Notice of Hearing, nor in Staff's Prefiled Testimony. The SCPCA's contention that the matter was not properly noticed is correct. Therefore, the Commission has determined that a separate proceeding should be established to address the question of whether or not directory assistance charges should be passed on to the COCOT providers by the LEC's. This is consistent with the Commission's determination in Order No. 85-216, issued March 20, 1985, in Docket No. 84-507-C. There, the Commission found that

Directory assistance charges will not be charged to the station provider at this time. Southern Bell is directed to collect data on the number of directory assistance calls being made on pay stations and file this data with the Commission for consideration in future proceedings. [emphasis added.]  
Order No. 85-216, p. 8.

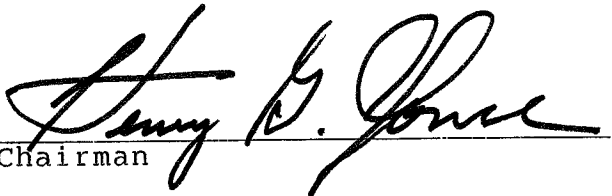
As to the issue of dial-around access and the potential for toll-fraud, the Commission finds that there is substantial evidence in the record to support the Commission's decision. The SCPCA proposed some revisions to the Staff proposal, but there is evidence in the record which would support the Commission's decision. The Commission certainly encourages the LEC's to adopt for intrastate purposes the requirement of the FCC for interstate screening and toll-fraud, but finds that the issue of customer access to their carrier choice is the paramount concern of the Commission. This has been an interest of the Commission since the inception of customer owned pay telephones. See Order No. 85-216, supra.

Lastly, the SCPCA alleges error on the part of the Commission in reducing the current \$1.00 surcharge to 25¢ for coin-sent interLATA and intraLATA long distance calls. Again, there is substantial evidence in the record to support the Commission's decision. The fact that the Commission Staff proposed a guideline which included the \$1.00 surcharge, put the surcharge into issue and the Commission's decision to reduce the surcharge to 25¢ is supported by the record.

Accordingly, the Commission herein grants rehearing on the issue of the directory assistance charges and orders a new proceeding to be established and noticed to the public in that regard. The Commission hereby denies rehearing or reconsideration as to the toll-fraud issue and the surcharge reduction.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)